

EXHIBIT A



**Service of Process
Transmittal**

01/03/2013

CT Log Number 521882623

TO: Cindy Palmer
Republic Services, Inc.
18500 North Allied Way
Phoenix, AZ 85054

RE: **Process Served in Tennessee**

FOR: BFI Waste Services, LLC (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Ralph Blackwell, Pltff. vs. BFI Waste Services, LLC, Dft.
DOCUMENT(S) SERVED: Summons, Return on Service, Complaint
COURT/AGENCY: Rutherford County Circuit Court, TN
Case # 65751
NATURE OF ACTION: Employee Litigation - Discrimination - Wrongful termination of employment on basis
of age on June 15, 2012
ON WHOM PROCESS WAS SERVED: C T Corporation System, Knoxville, TN
DATE AND HOUR OF SERVICE: By Process Server on 01/03/2013 at 12:00
JURISDICTION SERVED : Tennessee
APPEARANCE OR ANSWER DUE: Within 30 days from the date this summons is served upon you
ATTORNEY(S) / SENDER(S): Kerry Knox
Bullock, Fly & Hornsby
117 S. Academy Street
Murfreesboro, TN 37130
615-896-1000
ACTION ITEMS: CT has retained the current log, Retain Date: 01/03/2013, Expected Purge Date:
01/08/2013
Image SOP
Email Notification, Cindy Palmer cpalmer@republicservices.com
SIGNED: C T Corporation System
PER: Amy McLaren
ADDRESS: 800 S. Gay Street
Suite 2021
Knoxville, TN 37929-9710
TELEPHONE: 800-592-9023

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Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

STATE OF TENNESSEE 16th JUDICIAL DISTRICT CIRCUIT COURT	SUMMONS	CASE FILE NUMBER 65751
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PLAINTIFF Ralph Blackwell	DEFENDANT BFI Waste Services, Inc.
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TO: (NAME & ADDRESS OF DEFENDANT)
 BFI Waste Services, Inc.
 c/o CT Corporation System
 800 South Gay St., Suite 202
 Knoxville, TN 37929-9710

List each defendant on a separate summons.

YOU ARE HEREBY SUMMONED TO DEFEND A CIVIL ACTION FILED AGAINST YOU IN CIRCUIT COURT, RUTHERFORD COUNTY, TENNESSEE. YOUR DEFENSE MUST BE MADE WITHIN THIRTY (30) DAYS FROM THE DATE THIS SUMMONS IS SERVED UPON YOU. YOU ARE DIRECTED TO FILE YOUR DEFENSE WITH THE CLERK OF THE COURT AND SEND A COPY TO THE PLAINTIFF'S ATTORNEY AT THE ADDRESS LISTED BELOW. IF YOU FAIL TO DEFEND THIS ACTION BY THE ABOVE DATE, JUDGMENT BY DEFAULT CAN BE RENDERED AGAINST YOU FOR THE RELIEF SOUGHT IN THE COMPLAINT.

Attorney for plaintiff: (Name, address & telephone number) Kerry Knox 1175 Academy St. Mt. Greentown, TN 37130 (615) 896-1000	DATE ISSUED & ATTESTED Dec. 13 2012 ELOISE GANTHER, Circuit Court Clerk BY: J. Storn Deputy Clerk
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CERTIFICATION

I, ~~ELOISE GANTHER~~, Clerk of the Circuit Court of Rutherford County, Tennessee, do certify this to be a true and correct copy of the original summons issued in this cause.

BY: J. Storn DEPUTY CLERK

TO THE SHERIFF: Please execute this summons and make your return within thirty days of issuance as provided by law.	DATE RECEIVED 12-19-12 Sheriff W.C. Byrd #B1864
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RETURN ON PERSONAL SERVICE OF SUMMONS

I hereby certify and return that I served this summons together with the complaint as follows:

Enda Fry BFI Waste Services Inc.

DATE OF PERSONAL SERVICE: 01-3-13	Sheriff BY: W.C. Byrd #B1864
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ACCEPTANCE OF SERVICE

I do hereby accept service of process and a copy of this complaint in this cause for all purposes.
This the _____ day of _____, 20 ____.

RETURN ON SERVICE OF SUMMONS BY MAIL

I hereby certify and return that on the _____ day of _____, 20 ____, I sent, postage prepaid by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in case # _____ to the defendant _____, on the _____ day of _____, 20 _____. I received the return receipt, which has been signed by _____ on the _____ day of _____, 20 _____. The return receipt is attached to this original summons to be filed by the Clerk of Court.

Sworn to and subscribed before me on this _____ day of _____, 20 ____.

Signature of ☐ Notary Public or ☐ Deputy Clerk

My Commission Expires: _____, 20 ____.

Signature of plaintiff, plaintiff's attorney or other person authorized by statute to serve process.

NOTICE OF PERSONAL PROPERTY EXEMPTION

TO THE DEFENDANT(S):

Tennessee law provides a four thousand dollar (\$4,000.00) debtor's equity interest personal property exemption from execution or seizure to satisfy judgement. If a judgement should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgement becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Mail list to: ELOISE GAITHER
Circuit Court Clerk
Room 201 Judicial Building
Murfreesboro, TN 37130

Please state file number on list.

ATTACH
RETURN
RECEIPT
HERE
(IF APPLICABLE)

SERVICE COPY

IN THE CIRCUIT COURT FOR RUTHERFORD COUNTY, TENNESSEE
AT MURFREESBORO

RALPH BLACKWELL,

Plaintiff,

v.

BFI WASTE SERVICES, LLC

Defendant.

File No. 65751

Jury Demand

FILED
2012 DEC 13 PM 3:43
LAURA BOHLING
CIRCUIT COURT CLERK

COMPLAINT

COMES NOW, Ralph Blackwell, Plaintiff in the above-styled civil action, and respectfully shows the Court as follows:

IDENTIFICATION OF PARTIES

1. Plaintiff, RALPH BLACKWELL, hereinafter referred to as "Blackwell," is a resident of Rutherford County, Tennessee.
2. Blackwell was at all times pertinent hereto employed by BFI WASTE SERVICES, LLC, hereinafter referred to as "BFI," in Rutherford County, Tennessee. BFI is a Delaware limited liability company and may be served with process by and through its registered agent, CT Corporation System, 800 South Gay Street, Suite 2021, Knoxville, TN 37929-9710.

JURISDICTION AND VENUE

3. That venue is appropriate with this court given that Plaintiff resides in Rutherford County, Tennessee and is employed in Rutherford County, Tennessee.
4. This court has jurisdiction to this matter pursuant to the Tennessee Human Rights Act, T.C.A. § 4-21-101, et seq.

STATEMENT OF FACTS

5. At all times relevant to this complaint, Blackwell was the maintenance manager over the truck fleet at the landfill.
6. Blackwell had an exemplary record and worked for BFI for 6 years, 11 months until his termination on June 15, 2012. At the time of his termination, Blackwell was 64 years old.
7. From 2006 until approximately December, 2011, Blackwell's direct supervisor was John Doyen (hereinafter "Doyen").
8. Doyen consistently made disparaging remarks about Blackwell's age, referring to Blackwell as "old man."
9. Additionally, Doyen treated younger employees more favorably. For instance, Doyen invited several much younger employees, including Troy Shanks, Richard Sullivan, Nick Stengel, and Jeremy Jernigan, to attend a Kid Rock concert in February 2011. When Blackwell later asked Doyen why he was not invited, Doyen made a statement to the effect that he believed Blackwell was too old to like Kid Rock's music.
10. On another occasion in Spring, 2012, Doyen offered Nashville Predators' tickets to younger employees but did not offer them to Blackwell.
11. In or around December 2011, Brian Blackford (hereinafter "Blackford") was hired and became Blackwell's direct supervisor. Despite only being his supervisor for approximately two months, Blackford gave Blackwell a negative performance evaluation for 2011. In February, 2012, Blackwell received the largest performance-based bonus (approximately \$13,000.00) in his tenure at BFI for his work performance in 2012.
12. On information and belief, Doyen provided input to Blackford in the preparation and contents of the performance evaluation.

13. On March 19, 2012, Blackwell was placed on a 90 day performance improvement plan ("PIP").
14. Pursuant to the PIP, Blackford was supposed to meet with Blackwell every week to gauge Blackwell's improvement. Blackford met with Blackwell less than half of the times required by the PIP.
15. Also pursuant to the PIP, Blackwell was given a form to fill out with goals attached. Blackwell filled out the form; however, his supervisors never reviewed it to determine if Blackwell had met his goals. Blackwell did, in fact, meet all of the goals.
16. On June 15, 2012, Blackwell was terminated, and neither Blackford nor Doyen made any determination regarding whether Blackwell successfully completed the PIP.
17. Blackwell is older than 40 years of age and is entitled to protection under the Tennessee Human Rights Act.
18. Jason Jenkins was hired to replace Blackwell. Jenkins is under the age of 40 and significantly younger than Blackwell.

AGE DISCRIMINATION

19. Plaintiff reincorporates paragraphs 1 through 18 of his Complaint as if fully set forth herein.
20. Plaintiff is over 40 years of age, and is therefore a member of a group which is protected by the THRA.
21. Plaintiff was the subject of an adverse job decision.
22. Plaintiff was terminated by Defendant.
23. Defendant's termination of Plaintiff came under circumstances that give rise to an inference of age discrimination.

24. Plaintiff's job functions are now performed by someone under 40 and substantially (more than seven years) younger than Plaintiff.


PRAYER FOR RELIEF

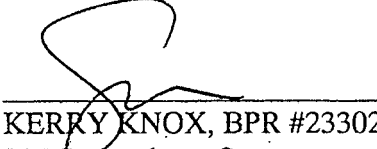
WHEREFORE, Blackwell prays that the Court enter judgment against Defendant and that it grant Blackwell the following relief pursuant to T.C.A. § 4-21-306:

- A. Damages for stress, anxiety, humiliation and embarrassment proximately caused by the discriminatory actions of the Defendant and its employees;
- B. A permanent INJUNCTION, enjoining the Defendant, its agents and representatives, from engaging in discriminatory and harassing acts;
- C. Back pay, front pay, the loss of employment benefits, and interest thereon;
- D. Attorney's fees and litigation expenses incurred in the filing and prosecution of this action;
- E. General and equitable relief and court costs incurred in this action; and
- F. A trial by jury.

Respectfully submitted,

BULLOCK, FLY & HORNSBY


BRAD W. HORNSBY, BPR #9996
PO Box 398
Murfreesboro, TN 37133-0398
(615) 896-4154
(615) 896-4152 (facsimile)


KERRY KNOX, BPR #23302
117 S. Academy Street
Murfreesboro, Tennessee 37130
615-896-1000
615-896-1026 (facsimile)

Attorneys for Plaintiff

State of Tennessee, Rutherford County
The undersigned, Circuit Court Clerk of
the said County and State, hereby certifies
that the foregoing is a correct copy of
the instrument filed in the foregoing case
in the Circuit Court of Murfreesboro, Tennessee.
This 13 day of Dec 2012

Laura Bowling Clerk


Deputy Clerk